



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Application of

O'BRIEN, James Richard

Serial No.: 10/609,083

Filed: June 27, 2003

Title: RACKABLE GATE FOR FENCE
AND METHOD

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) Art Group: 3679
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) Examiner: Garcia, Ernesto
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**TRANSMITTAL IN RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Non-Compliant Amendment dated August 23, 2005, in the subject application, the undersigned attaches hereto replacement drawing sheet for Figs. 9 and 10 properly identified in the top margin as "Replacement Sheet" as required by 37 CFR 1.121(d). It is believed the attached responds fully to the correction required by the Office.

Respectfully submitted,

Carl M. Davis II
Reg. No. 31,502

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Docket No. 170933-00003

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Com. of Patents, PO Box 1450, Alexandria, VA 22313-1450 on this 8 day of Sept, 2005.

Signature:
Carl M. Davis II